

REMARKS

Claims 13-17 are canceled. Claims 1-12 are pending in the application.

The Examiner's §§ 102(b) and 103(a) rejections of claims 1-3 and 5-11 has been reversed by the September 18, 2008 decision of the Board of Patent Appeals and Interferences (BPAI decision on appeal). The § 103(a) rejection of claims 4 and 12 was also reversed by the BPAI's decision. Accordingly, claims 1-12 are allowable over the art of record.

The Examiner's § 102(b) rejection of claim 17 and § 103(a) rejection of claims 13-16 were maintained by the Board. Claims 13-17 are hereby canceled.

Claims 1-12 are indicated as allowable and are the only claims that remain pending in the application. Accordingly, the application is in condition for immediate allowance. Applicant therefore respectfully requests that the Examiner's next action be a Notice of Allowance formally allowing claims 1-12.

Respectfully submitted,

Dated: October 14, 2008

By: Jennifer J. Taylor
Jennifer J. Taylor, Ph.D.
Reg. No. 48,711